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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**STIPULATION AND JOINT EX  
PARTE MOTION TO REMOVE  
HEARING ON MOTION TO QUASH  
FROM THE DOCKET**

[No hearing required]

The USACM Liquidating Trust (the "Trust"), by agreement with Kaaran Thomas, counsel for Kreg Rowe, et. al, hereby moves this Court to remove the June 15, 2007 hearing on the "Motion of Kreg Rowe et. al, to Quash Subpoenas" from the Court's docket.

On May 11, 2007, several individuals and entities moved to quash subpoenas directed to Wells Fargo Bank, N.A., Wells Fargo Bank of Nevada, Nevada State Bank, JP Morgan Chase, Bank of the West, Oppenheimer Funds, Bank of America, City Bank, Kreg Rowe, and Brett Seabert. Counsel for the Movants on the Motion to Quash and counsel for the Trust have reached tentative agreements on the resolution of the Motion to Quash. Therefore, the Trust and the Movants jointly request that the June 15, 2007 hearing on the Motion to Quash be removed from the docket while the parties attempt to finalize their agreement.

If necessary, the hearing will be reset by agreement of the parties.

WHEREFORE, the parties jointly request that the hearing on Motion to Quash set for June 15, 2007 be removed from the docket.

Dated: May 31, 2007.

**DIAMOND MCCARTHY LLP**

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